

Applicants : Michael Wayne Graham and Robert Norman Rice
Serial No. : 10/759,841
Filed : January 15, 2004
Page 2 of 5 of Response to August 9, 2011 Final Office Action

REMARKS

Claims 172, 176-179, 181-186, 188, 190-193, 195-197, 199-200, 202-205, 207-209 and 211 are pending in the subject application. Applicants have not amended any claims herein.

Double Patenting Rejections

I. Claims Rejected over U.S. Patent No. 7,754,697 in view of Cowsert et al.

On page 3 of the August 9, 2011 Final Office Action, the Examiner rejected claims 172, 176-179, 181-186, 188, 190-193, 195-197, 199, 200, 202-205, 207-209, and 211 on the ground of nonstatutory obviousness-type double patenting over claims 1-34 of U.S. Patent No. 7,754,697 in view of Cowsert et al. (U.S. Patent No. 5,580,767). The Examiner's specific rationale can be found on pages 3-6 of the August 9, 2011 Final Office Action.

In response, Applicants respectfully direct the Examiner's attention to the Terminal Disclaimer Review Decision having an image file wrapper date of August 4, 2011. A copy of the August 4, 2011 Terminal Disclaimer Review Decision is attached hereto as **Exhibit A**. The August 4, 2011 Terminal Disclaimer Review Decision indicates that the three Terminal Disclaimers filed June 28, 2011 have been accepted, including the Terminal Disclaimer over U.S. Patent No. 7,754,697.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection.

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II. Claims Rejected over U.S. Serial No. 10/346,853

On page 6 of the August 9, 2011 Final Office Action, the Examiner provisionally rejected claims 172, 176-179, 181-186, 188, 190-193, 195-197, 199, 200, 202-205, 207-209, and 211 on the ground of nonstatutory obviousness-type double patenting over claims 224-294 of copending Application No. 10/346,853. The Examiner's specific rationale can be found on pages 6-7 of the August 9, 2011 Final Office Action.

In response, Applicants respectfully direct the Examiner's attention to the Terminal Disclaimer Review Decision having an image file wrapper date of August 4, 2011. A copy of the August 4, 2011 Terminal Disclaimer Review Decision is attached hereto as **Exhibit A**. The August 4, 2011 Terminal Disclaimer Review Decision indicates that the three Terminal Disclaimers filed June 28, 2011 have been accepted, including the Terminal Disclaimer over U.S. Serial No. 10/346,853.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection.

III. Claims Rejected over U.S. Serial No. 10/821,726

On page 7 of the August 9, 2011 Final Office Action, the Examiner provisionally rejected claims 172, 176-179, 181-186, 188, 190-193, 195-197, 199, 200, 202-205, 207-209, and 211 on the ground of nonstatutory obviousness-type double patenting over claims 158-202 of copending Application No. 10/821,726. The Examiner's specific rationale can be found on pages 7-8 of the August 9, 2011 Final Office Action.

In response, Applicants respectfully direct the Examiner's attention to the Terminal Disclaimer Review Decision having an

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image file wrapper date of August 4, 2011. A copy of the August 4, 2011 Terminal Disclaimer Review Decision is attached hereto as **Exhibit A**. The August 4, 2011 Terminal Disclaimer Review Decision indicates that the three Terminal Disclaimers filed June 28, 2011 have been accepted, including the Terminal Disclaimer over U.S. Serial No. 10/821,726.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection.

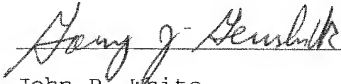
Applicants believe that all of the rejections set forth in the August 9, 2011 Final Office Action have been overcome, and look forward to receiving a Notice of Allowance in the subject application.

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.


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No fee is deemed necessary in connection with the filing of this Response. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being transmitted via the Electronic Filing System (EFS) to the U.S. Patent and Trademark Office on August 10, 2011.	
 Adam C. Krol Reg. No. 64,351	Date 8/10/11

Application Number 	Application/Control No. 10/759,841	Applicant(s)/Patent under Reexamination GRAHAM ET AL.	
Document Code - DISQ		Internal Document – DO NOT MAIL	

TERMINAL DISCLAIMER	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DISAPPROVED
Date Filed : 06/28/2011	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:
Dorethea Lawrence - 3 tds approved

U.S. Patent and Trademark Office

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Exhibit A